

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID C. STEPHENSON,  
MICHAEL SHANAHAN

Defendant.

CASE NO.CR05-5158RBL

ORDER GRANTING  
CONTINUANCE OF  
TRIAL DATE

Defendant Stephenson moves to continue the trial date and has filed a speedy trial waiver. Defendant Shanahan joins and the Government concurs with the request. Ms. Mandel's office has advised the clerk that defendant Shanahan's waiver of speedy trial is in route. Counsel is requested to file said waiver not later than 9/13/2005. For the reasons stated in the pleadings, the motion(s) to continue are GRANTED and the Trial Date is **CONTINUED to FEBRUARY 6, 2006.**

In view of the foregoing, the court finds and rules as follows:

1. Failure to grant a continuance in this matter would deny defendant Stephenson pro se and defense counsel for Michael Shanahan the reasonable time necessary for effective preparation taking into account the exercise of due diligence. Title 18 U.S.C. §3161(h)(8)(B)(iv).
2. The ends of justice served by granting the requested continuance outweigh the interest of the public and the defendant in a speedy trial. Title 18 U.S.C. §3161(h)(8)(A). The period of delay resulting from this continuance from **September 26, 2005 to February 6, 2006** is excluded for speedy trial computation purposes under 18 U.S.C. § 3161(h)(8)(A) and (B) as this is a reasonable period of delay.

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3 ACCORDINGLY:

4 The Jury Trial is **CONTINUED** to Monday, **FEBRUARY 6, 2006 at 9:30 a.m.**

5 The Pretrial Conference is rescheduled for **January 20, 2006 at 1:30 p.m.**

6 The Motions Cutoff date is extended to **December 5, 2005**. The Government's responses shall  
7 be due **December 16, 2005**. Replies, if any, shall be due December 22, 2005. The motions shall  
8 be noted and ripe for consideration as of December 23, 2005.

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10 IT IS SO ORDERED this 8th day of September, 2005.

11   
12 RONALD B. LEIGHTON  
13 UNITED STATES DISTRICT JUDGE  
14 Digitally Signed Upon Authorization (JAB)  
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27 ORDER -2  
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ORDER -2